

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20240

February 25, 2005

In Reply Refer To:
3833 (WO-320) P

EMS TRANSMISSION 03/03/2005
Instruction Memorandum No. 2005-087
Expires: 09/30/2006

To: State Directors and Business Center Director
From: Assistant Director, Minerals, Realty and Resource Protection
Subject: Transfer of Interest for a Mining Claim/Site

Program Area: Mining Law Administration, Adjudication.

Purpose: This instruction memorandum is to clarify the collection of fees and adjudication for transfer of interest documents for mining claims/sites.

Policy/Action: For transfers of interest in a mining claim/site, collect a \$5 service charge for each transferee for each mining claim or site. If two or more transferees are on the same document transferring interest in a mining claims or sites, the service charge of \$5 per claim/site must be received for each transferee. Example: The document received indicates that there are three transferees for two mining claims; the fee that must be collected is a total of \$30 [number of transferees (3) multiplied by the number of claims/sites (2) multiplied by the service charge per claim/site (\$5) equals \$30.

Effective Date: This policy is effective immediately.

Background: Revised rule, 68 FR 61072, at Subpart C, §3833.32(c) states: *You as a transferee must pay a nonrefundable service charge per mining claim or site you were transferred.* The table in the revised rule at §3830 states that the fee for transferring a mining claim or site is \$5 per mining claim/site. The rule refers to the table; therefore, the rule is the controlling action. In summary, this means that each transferee (person receiving the interest in the claim/site) submitting a transfer document must also submit the service charge of \$5 per claim/site.

Manual/Handbook Sections Affected: 3833

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Signed by:
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